

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

REGINALD C. HOWARD,

Plaintiff,

v.

G. CARPENTER, et al.,

Defendants.

Case No. 3:20-cv-00588-ART-CSD

**ORDER**

(ECF No. 21)

*Pro se* Plaintiff Reginald Howard applied to proceed *in forma pauperis* (“IFP”) in this civil-rights action. (ECF No. 3). But Howard’s application showed he could pay the full \$400 filing fee, and Howard also filed a notice stating that he sought to have prison officials pay the filing fee from his inmate trust account. (ECF No. 20).<sup>1</sup> So on December 5, 2022, the Court denied Howard’s IFP application and gave him until February 3, 2023, to either pay the filing fee or file an IFP application showing that he could not afford to pay it. (ECF No. 23).

Three days before the Court’s order, Howard filed a second IFP application with updated financial information and documents. (ECF No. 21). But the financial information Howard provided shows he can pay the full filing fee. And the Court has not yet received the filing-fee payment that Howard stated he initiated with prison officials. The Court therefore denies Howard’s second IFP application, and gives him a final extension of time to pay the full \$400 filing fee to proceed with this action.

Accordingly, it is ordered that the application to proceed *in forma pauperis* (ECF No. 21) is denied.

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<sup>1</sup> The filing fee is \$400 because Howard initiated this action before the fee changed effective on December 1, 2020. If this action is dismissed and Howard refiles it under a new case number, the full filing fee will be \$402.

1 It is further ordered that on or before April 3, 2023, Howard must pay the  
2 full \$400 filing fee to the Clerk of Court to proceed with this action.

3 It is further ordered that the failure to pay the full \$400 filing fee for this  
4 action on or before April 3, 2023, will result in the Court dismissing this action  
5 without prejudice. Without prejudice allows Plaintiff Howard to refile his case  
6 with the Court, under a new case number, when he can pay the full filing fee for  
7 a civil action or file a complete application to proceed *in forma pauperis*  
8 demonstrating that he is unable to pay the fee.

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10 DATED THIS 15th day of February 2023.

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13 ANNE R. TRAUM  
14 UNITED STATES DISTRICT JUDGE  
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